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BY ECF

Honorable Alvin K. Hellerstein
U.S. District Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

*Conf is canceled,
So ordered.*
Alvin K. Hellerstein
3-31-2020

Re: **ANI Pharmaceuticals, Inc. v. Cabaret Biotech Ltd., No. 19-cv-05409-AKH (S.D.N.Y.):
Conference Currently Scheduled for May 15, 2020**

Dear Judge Hellerstein:

This Firm represents Plaintiff ANI Pharmaceuticals, Inc. ("ANI") in the above-referenced action currently pending before Your Honor. We write on behalf of both parties to inform the Court that the parties' ongoing efforts to resolve this matter without court intervention have reached an impasse, and to respectfully request, if the Court agrees, that the status conference currently scheduled for May 15, 2020 be cancelled. Defendant Cabaret Biotech Ltd. joins in this letter.

By way of background, on November 1, 2019, ANI filed a motion for judgment on the pleadings, which has since been fully briefed by the parties. (Doc. 23-27.) On January 10, 2020, a status conference was held. Following the January 10 conference, and at the Court's suggestion, the parties diligently engaged in good-faith negotiations to resolve the matter. The parties thereafter appeared before the Court on January 24, 2020 to apprise the Court of the progress of those negotiations, and submitted a further letter on February 26 updating the Court on the status of those negotiations. (Doc. 29.) As matters now stand, the parties are scheduled to appear for a status conference on May 15 to again apprise the Court of the status of their ongoing discussions. (Doc. 31.) Since February 26, the parties have continued to negotiate in good faith. However, the parties have, as indicated above, since reached an impasse such that further settlement discussions would not serve any useful purpose, and the parties believe that the pending motion for judgment on the pleadings should now be decided by the Court in its ordinary course.

Given the above, the parties do not believe that there is a continuing need for the May 15 conference, and to avoid potentially wasting the Court's time, respectfully request that the May 15 conference be cancelled, if the Court agrees that would be appropriate. Of course, should the Court still wish for the parties to appear at the May 15 conference—either telephonically or in person—the parties would be pleased to do so.

The parties thank the Court for its attention to this matter.